

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: MINNESOTA

**CONSIDERATION OF MEDICAID QUALIFYING TRUSTS—UNDUE HARDSHIP**

1902(k)(4) of the Act,  
P.L. 99-272 (Section  
9506)

Medicaid Qualifying Trusts -- Undue Hardship. The following criteria will be used to determine whether the agency will not count the funds in a trust as specified in ATTACHMENT 2.6-A, section C.2., because it would work an undue hardship for categorically and medically needy individuals:

*Application of the Medicaid qualifying trust provision is waived with respect to trusts or similar legal devices created on or after July 1, 1992 and before August 11, 1993, that were established in full with awards made by the Social Security Administration pursuant to the United States Supreme Court decision in Sullivan v. Zebley, 110 S.Ct. 885 (1990).*

TN No. 93-40  
Supersedes  
TN No. 93-31

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